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SOCIAL DEVELOPMENT

Report of the Social Committee

Addendum

1. The Social Committee continued its consideration of the question of social development (agenda item 20) at its 18th meeting, on 22 July.

Recommendation contained in the report of the Commission on Crime Prevention and Criminal Justice

Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice

2. At the 10th meeting, on 14 July, the Committee considered draft resolution VII, entitled "Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice".

3. At the same meeting, the representative of Cuba made a statement.

4. Also at the same meeting, the Committee decided to postpone taking action on the draft resolution.

5. At the 18th meeting, on 22 July, the Vice-Chairman of the Committee, Mrs. A. Missouri Sherman-Peter (Bahamas), informed the Committee of the results of the informal consultations held on draft resolution VII and orally amended it as follows:

(a) In paragraph 1 of section II, the words "and participating in and contributing to the work of the peace-keeping operations, such as those of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force" were deleted;

(b) Paragraph 5 of section II, which had read:

"5. Also requests the Secretary-General to develop basic courses on United Nations norms and guidelines for peace-keeping, peace-building and emergency mission personnel and their national counterparts, designed to restore or upgrade criminal justice systems and to respond rapidly to emergent results in such missions",

was replaced by the following text:

"Welcomes with appreciation the Secretariat's participation in, and contribution to, the work of peace-keeping operations such as those of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force, in accordance with resolution 1992/22";

(c) A new paragraph 6 was inserted in section II, which reads as follows:

"Requests the Secretary-General to develop basic courses on United Nations norms and guidelines in the field of crime prevention and criminal justice which can be used, as necessary, for training peace-keeping and emergency mission personnel and their national counterparts",

and subsequent paragraphs were renumbered 7 to 14;

(d) In paragraph 12 of section II, the words "where appropriate" were inserted between the words "integrate" and "crime prevention";

(e) In paragraph 13 of section II, the word "including" was inserted between the words "technical cooperation" and "among developing countries";

(f) Paragraph 4 of section V, which had read:

"4. Recommends that the Secretary-General examine the possibility of resorting, when appropriate, to the expertise available in, or accessible through, the Crime Prevention and Criminal Justice Branch in considering the establishment of an international criminal court and the draft code of crimes against the peace and security of mankind",

was replaced by the following test:

"Recommends that the Secretary-General consider resorting, where appropriate, to the expertise available in the Crime Prevention and Criminal Justice Branch in matters relating to the work of the International Law Commission on the preparation of a draft statute for the international criminal court and the draft code of crimes against the peace and security of mankind".

6. At the same meeting, the Committee adopted the draft resolution, as orally amended (see para. 9 below, draft resolution VII).

7. After the draft resolution was adopted, the representative of the Syrian Arab Republic made a statement.

Other proposals

Reports considered by the Economic and Social Council in connection with the question of social development

8. At the 18th meeting, on 22 July, the Committee, on the proposal of the Chairman, decided to recommend to the Economic and Social Council that it take note of the reports considered by the Council in connection with the question of social development (see para. 10 below, draft decision).

RECOMMENDATIONS OF THE SOCIAL COMMITTEE

9. The Social Committee recommends to the Economic and Social Council the adoption of the following draft resolution:

DRAFT RESOLUTION VII

Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice

The Economic and Social Council,

Bearing in mind General Assembly resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme,

Recalling General Assembly resolution 45/109 of 14 December 1990 on computerization of criminal justice,

Bearing in mind General Assembly resolution 46/120 of 17 December 1991 on human rights in the administration of justice,

Also bearing in mind General Assembly resolution 47/91 of 16 December 1992 on crime prevention and criminal justice,

Further bearing in mind its resolution 1992/22 of 30 July 1992, in section VI of which it determined the three priority themes that should guide the work of the Commission on Crime Prevention and Criminal Justice in the development of a detailed programme,

Recalling that in section VII of its resolution 1992/22, the Council, inter alia, decided that the Commission should include in its agenda, beginning with its second session, a standing item on the existing United Nations standards and norms in the field of crime prevention and criminal justice,

Recalling also its resolution 1990/21 of 24 May 1990 on the implementation of United Nations standards and norms in crime prevention and criminal justice,

Taking note of the report of the Pre-sessional Working Group on Implementation of United Nations Standards and Norms in Crime Prevention and Criminal Justice of the former Committee on Crime Prevention and Control. 1/

Also taking note of the recommendations of the Meeting of Experts for the Evaluation of Implementation of United Nations Norms and Guidelines in Crime Prevention and Criminal Justice, 2/

Recalling section I of its resolution 1992/22, entitled "Strengthening the operational capacity of the United Nations crime prevention and criminal justice programme, especially operational activities and advisory services",

Conscious that preventing and controlling crime is a growing challenge for most Member States and the international community as a whole,

Convinced that developing crime prevention and criminal justice skills is necessary to strengthen the rule of law and to promote democracy,

Alarmed by the negative impact of criminal activities on the development process in many countries, particularly in developing countries and countries in transition,

Bearing in mind the urgent need of the least developed countries for assistance, particularly in training crime prevention and criminal justice officials and practitioners,

Conscious of the relationship between national crime and more sophisticated forms of transnational criminal activities,

Convinced that effective action against crime requires increased technical cooperation activities at the international level, in order to provide appropriate assistance to Member States whose capacity to deal with crime-related issues is insufficient and to tackle serious forms of international criminal activity, such as transnational and organized crime,

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1/ E/AC.57/1990/WG.2.

2/ E/CN.15/1992/4/Add.4.

Recalling that in General Assembly resolution 46/152, the Assembly emphasized the practical orientation of the United Nations crime prevention and criminal justice programme and decided that the programme should provide States with practical assistance, such as data collection, information and experience sharing and training, in order to achieve the goals of preventing crime and improving the response to it,

Concerned by the disparity between the need for technical assistance and the resources available for the United Nations crime prevention and criminal justice programme,

Recalling that in section VI of its resolution 1992/22, the Council determined that the majority of programme resources should be concentrated on the provision of training, advisory services and technical cooperation in a limited number of areas of recognized need, taking into account the need for technical assistance to developing countries, and that, in implementing special operational activities and advisory services in situations of urgent need, the Secretariat should place major emphasis on serving as a broker and clearing-house.

Convinced that the United Nations crime prevention and criminal justice programme should provide the necessary operational perspective to Member States, thus assisting them in modernizing their criminal justice systems,

Aware that the introduction of modern criminal justice techniques requires education and training of criminal justice personnel,

Mindful that computer-assisted collection, management and distribution of crime prevention and criminal justice information are of growing importance to the effective and humane administration of criminal justice systems,

Expressing its appreciation to the Bureau of Justice Statistics of the United States Department of Justice and the State University of New York at Albany, United States of America, for their strong support in the development of the United Nations Criminal Justice Information Network,

Welcoming the contributions to technical cooperation made on a multilateral or bilateral basis by a number of Governments and institutions and noting in this regard that the United Nations Crime Prevention and Criminal Justice Fund has received contributions from the Governments of France, Italy and Tunisia and from the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, and the Asia Crime Prevention Foundation,

Recalling resolution 1/2 of 29 April 1992 of the Commission on Crime Prevention and Criminal Justice, 3/ Commission on Narcotic Drugs resolutions 1 (XXXV), 4 (XXXV) and 11 (XXXV) of 15 April 1992 4/ and Commission on Human Rights resolution 1992/31 of 18 February 1992, 5/

Reaffirming that the prevention and control of crime require effective, concerted and multidisciplinary action at the national, regional and international levels,

Convinced that the scope of international cooperation in all fields of crime prevention and criminal justice should be extended and increased as a matter of utmost importance and that technical assistance programmes in crime prevention and criminal justice should be expanded and strengthened as a matter of urgency,

Alarmed by the fact that large financial profits derived from criminal activity may enable transnational criminal organizations to penetrate, infect and corrupt the structure of Governments, legitimate commercial activities and society at large, thereby impeding economic and social development, hampering law and order, undermining the foundation of States and preventing good governance,

Noting, with respect to priority themes, the need to pay particular attention to such issues as organized crime in all its manifestations, money laundering, the role of criminal law in the protection of the environment, the protection of cultural property from theft and smuggling, domestic violence, the computerization of the administration of criminal justice, juvenile delinquency and street crime.

## I. REVIEW OF PRIORITY THEMES

1. Reaffirms the priority themes formulated by the Commission on Crime Prevention and Criminal Justice at its first session and contained in Economic and Social Council resolution 1992/22, section VI;

2. Invites Member States to prepare and circulate in advance of each session proposals on specific objectives and activities, as recommended in Commission resolution 1/1 of 29 April 1992 on strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme, 3/ underlining the importance for the third and subsequent sessions of the Commission of implementing the mechanisms, referred to in paragraphs 32-35 of the annex to that resolution, for determining the objectives and the specific activities of the programme.

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3/ See Official Records of the Economic and Social Council, 1992, Supplement No. 10 (E/1992/30), chap. I, sect. C.

4/ Ibid., Supplement No. 5 (E/1992/25), chap. XI, sect. A.

5/ Ibid., Supplement No. 2 (E/1992/22), chap. II, sect. A.

## II. OPERATIONAL ACTIVITIES OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

1. Welcomes with appreciation the efforts undertaken by the Secretariat to carry out operational activities, notably setting up projects to be implemented in developing countries and countries in transition;

2. Notes with appreciation the cooperation between the Crime Prevention and Criminal Justice Branch and other United Nations entities, such as the United Nations International Drug Control Programme, the Division for the Advancement of Women and the Centre for Human Rights of the Secretariat, and recommends that such cooperation be expanded and intensified;

3. Also notes with appreciation the support provided by some Member States in organizing training seminars, inter alia, by providing funding and in-kind expertise;

4. Requests the Secretary General to continue elaborating, in accordance with the programme priorities, training curricula that could be implemented in Member States upon request and adopted to particular national or regional conditions and requirements, using new and existing materials such as manuals and other publications, United Nations guidelines, minimum rules and model treaties on crime prevention and criminal justice;

5. Welcomes with appreciation the Secretariat's participation in, and contribution to, the work of peace-keeping operations such as those of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force, in accordance with resolution 1992/22;

6. Requests the Secretary-General to develop basic courses on United Nations norms and guidelines in the field of crime prevention and criminal justice which can be used, as necessary, for training peace-keeping and emergency missions personnel and their national counterparts;

7. Further requests the Secretary-General to ensure the involvement of the Crime Prevention and Criminal Justice Branch in the planning of such missions;

8. Further requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its third session, on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme, including appropriate mechanisms for the mobilization of resources;

9. Further requests the Secretary-General to strengthen the institutional capacity of the United Nations crime prevention and criminal justice programme by providing the Secretariat with adequate human and financial resources, if necessary by reallocating existing resources, as well as by means of voluntary contributions, to enable it

to elaborate, execute and evaluate operational activities and advisory services upon request by Member States;

10. Further requests the Secretary-General to consider making available the necessary resources for the participation of the least developed countries in the sessions of the Commission on Crime Prevention and Criminal Justice;

11. Invites Member States and intergovernmental and non-governmental organizations to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to augment the implementation of technical assistance projects;

12. Recommends to Member States that they integrate, where appropriate, crime prevention and criminal justice components into their priority areas for development, so as to better address crime-related issues in the context of national development;

13. Reaffirms the importance of technical cooperation, including among developing countries;

14. Recognizes the relevance of close cooperation between the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice and the Crime Prevention and Criminal Justice Branch to the development of technical assistance and research projects at the regional and interregional levels, taking into account regional characteristics and traditions of the various criminal justice systems.

## III. UNITED NATIONS STANDARDS AND NORMS IN CRIME PREVENTION AND CRIMINAL JUSTICE

1. Reaffirms the importance of United Nations standards, norms and guidelines in crime prevention and criminal justice;

2. Underlines the need for further cooperation and concerted action in translating those standards into practice;

3. Invites the Commission on Crime Prevention and Criminal Justice to focus on the promotion of the use and application of United Nations standards, norms and guidelines in crime prevention and criminal justice, while recognizing the social, cultural and economic conditions of Member States;

4. Invites Governments to pay due attention to United Nations standards, norms and guidelines in crime prevention and criminal justice and to enhance their widest possible dissemination;

5. Requests the Secretary-General to ensure the widest possible dissemination of the texts of the standards contained in the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice, 6/ which has been published only in English, calls for the reprint of the Compendium in English and its publication in the other five official languages of the United Nations;

6. Recognizes the important role that the United Nations Interregional Crime and Justice Research Institute and the institutes associated or affiliated with the United Nations and non-governmental organizations play in promoting the use and application of the United Nations standards and norms in the administration of justice;

7. Requests the Secretary-General:

(a) To assist Member States, at their request, in implementing existing United Nations standards in crime prevention and criminal justice;

(b) To strengthen and coordinate activities in this field, including advisory services, training programmes and fellowships, with a view to undertaking joint programmes and developing collaborative mechanisms;

(c) To commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources, initially paying attention to the United Nations standards, norms and guidelines listed in paragraph 8 (a) below; the surveys should be conducted over a two-year period in order to enable Member States to have sufficient time to provide replies; the results of the first surveys should be considered at the earliest possible session of the Commission;

8. Requests the Commission to establish, at its third session, an open-ended in-sessional working group, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council 7/ and subject to the consideration of financial implications, in order to discuss inter alia, the following issues:

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6/ United Nations publication, Sales No. E.92.IV.1.

7/ E/5975/Rev.1.

(a) The role of the United Nations in promoting the use and application of the following standards, norms and guidelines, with the understanding that this selection does not imply any priority over other standards, norms and guidelines and is subject to review at future sessions of the Commission on Crime Prevention and Criminal Justice:

(i) The Standard Minimum Rules for the Treatment of Prisoners; 8/

(ii) The Code of Conduct for Law Enforcement Officials, 9/ together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; 10/

(iii) The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; 11/

(iv) The Basic Principles on the Independence of the Judiciary; 12/

(b) The evaluation of the reporting system and other sources of information;

(c) Measures to improve the dissemination of information, education and technical assistance to enhance their use and application;

9. Commends the World Conference on Human Rights and its Preparatory Committee for bearing in mind the existence of important United Nations standards and norms in the administration of justice;

10. Calls upon the Commission on Crime Prevention and Criminal Justice, at its third session, to pay due attention to the results of the World Conference on Human Rights, to be held at Vienna in June 1993, as far as crime prevention and criminal justice issues are concerned.

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8/ United Nations publication, Sales No. 1956.IV.4, annex I.A.

9/ General Assembly resolution 34/169, annex.

10/ United Nations publication, Sales No. E.91.IV.2, chap I, sect. B.2, annex.

11/ General Assembly resolution 40/34, annex.

12/ United Nations publication, Sales No. E.86.IV.1, chap I, sect. D.2, annex.

## IV. CRIME PREVENTION AND CRIMINAL JUSTICE INFORMATION MANAGEMENT

### A. Collection of information

1. Takes note of the report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies, 13/ the ongoing activities of the Secretariat concerning the Fourth United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data for the benefit of Member States and criminal justice professionals;

2. Reaffirms the usefulness of these information activities in crime prevention and criminal justice policy development and programme planning;

3. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its third session, on progress made on the Fourth and Fifth Surveys of Crime Trends and Operations of Criminal Justice Systems, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data;

4. Strongly encourages Governments to continue to reply promptly to requests of the Secretary-General for crime prevention and criminal justice data in order to ensure that those data can be processed and provided to all Member States and other interested parties in a timely and efficient manner.

### B. Management of information

1. Requests the Secretary-General to continue and to intensify efforts directed at the modernization of criminal justice techniques and administration, with special attention to the needs of developing countries, including the introduction of compatible information technology to facilitate the administration of criminal justice and to strengthen practical cooperation on crime control between Member States;

2. Encourages Member States, the private sector and criminal justice professionals to exchange proposals, information on projects and innovations enhancing criminal justice operations through the Crime Prevention and Criminal Justice Branch.

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13/ E/CN.15/1993/2.

C. Distribution of information

1. Requests the Secretary-General to allocate the necessary services for the transfer of the management and daily operations of the United Nations Criminal Justice Information Network to the Crime Prevention and Criminal Justice Branch;

2. Invites Member States to consider the provision of extrabudgetary resources, including but not restricted to the secondment of computer-programming professionals with criminal justice experience, to the Secretariat in order to assist in the orderly transfer of the United Nations Criminal Justice Information Network, and to provide support for its further logistical and substantive development;

3. Requests the Secretary-General, as resources permit:

(a) To strengthen and expand the clearing-house functions of the Crime Prevention and Criminal Justice Branch;

(b) To organize training courses that would enable criminal justice professionals, in particular those in developing countries, to acquaint themselves with the services of the United Nations Criminal Justice Information Network;

(c) To establish a support system for developing countries that would, among other things, ensure that basic costs connected with the provision of the necessary modalities, including the costs of membership in the Untied Nations Criminal Justice Information Network and transmission costs, are covered;

(d) To report to the Commission on Crime Prevention and Criminal Justice, at its third session, on progress made in the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of the data.

V. COOPERATION BETWEEN THE CRIME PREVENTION AND CRIMINAL JUSTICE BRANCH AND OTHER RELEVANT ENTITIES

1. Welcomes with appreciation Commission on Narcotic Drugs resolution 10 (XXXVI) of 7 April 1993 14/ and Commission on Human Rights resolution 1993/41 of 5 March 1993; 15/

2. Invites the various relevant entities of the United Nations system, including but not limited to the Office of Legal Affairs, the Department for Policy Coordination and Sustainable Development, the Department for Development Support and Management Services, the

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14/ See Official Records of the Economic and Social Council, 1993, Supplement No. 9 (E/1993/29), chap. XI.

15/ Ibid., Supplement No. 3 (E/1993/23), chap. II, sect. A.

Department for Economic and Social Information and Policy Analysis, the United Nations International Drug Control Programme, the Division for the Advancement of Women, the regional commissions, the Centre for Human Rights and the United Nations Environment Programme of the Secretariat, the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization and the United Nations Industrial Development Organization, to cooperate with the Crime Prevention and Criminal Justice Branch and to extend to it their support and assistance in implementing its mandates;

3. Decides to continue its close cooperation in this field with the Commission on Human Rights, the Commission for Social Development, the Commission on Narcotic Drugs, the Commission on the Status of Women and the specialized agencies in order to increase the efficiency and effectiveness of United Nations activities in areas of mutual interest and concern and to ensure coordination and avoidance of duplication;

4. Recommends that the Secretary-General consider resorting, where appropriate, to the expertise available in the Crime Prevention and Criminal Justice Branch in matters relating to the work of the International Law Commission on the preparation of a draft statute for the international criminal court and the draft code of crimes against the peace and security of mankind;

5. Invites Member States to ensure that their efforts and arrangements aimed at cooperation and coordination at the bilateral and regional levels take into account the relevant activities and work of the United Nations crime prevention and criminal justice programme;

6. Requests the Secretary-General to encourage and facilitate cooperation and coordination in accordance with the present resolution and to report on the subject to the Commission on Crime Prevention and Criminal Justice at its third session.

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10. The Social Committee also recommends to the Economic and Social Council the adoption of the following draft decision:

DRAFT DECISION

Reports considered by the Economic and Social Council in connection with the question of social development

The Economic and Social Council takes note of the following reports:

(a) Report of the Secretary-General on the implementation of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (A/48/56-E/1993/6);

(b) Report of the Secretary-General on progress achieved and obstacles encountered in implementing the social development goals and objectives of the International Development Strategy for the Fourth United Nations Development Decade (E/1993/5);

(c) Report on the World Social situation, 1993 (E/1993/50/Rev.1). 16/

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16/ United Nations publication, Sales No. E.93.IV.2.

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